IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Ankur Bhatt et al.	Art Unit	: 2161
Serial No.	: 10/699,170	Examiner	: Paul L. Kim
Filed	: October 31, 2003	Conf. No.	: 1615
Title	: DATA IMPORTATION AND EXPORTATION FOR COMPUTING DEVICES		

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BRIEF ON APPEAL

(1)   Real Party in Interest

SAP Aktiengesellschaft (SAP AG), the assignee of this application, is the real party in interest.

(2)   Related Appeals and Interferences

There are no related appeals or interferences.

(3)   Status of Claims

Claims 1, 2, 4, 6-8, 10, 13-16, 19, and 20 are currently pending, of which claims 1, 8, and 15 are independent. Claims 1, 2, 4, 6-8, 10, 13-16, 19, and 20 have been rejected and have been appealed and claims 3, 5, 9, 11, 12, 17, and 18 have been cancelled.

(4)   Status of Amendments

The claims have not been amended subsequent to the final rejection.

(5)   Summary of Claimed Subject Matter

Independent claim 1 recites a method that includes accessing at least one data element representing a delta data change from a source database of a source system and accessing a related data element from the source database. Application at page 2, lines 17-21 and page 13, line 23 through page 14, line 8. The delta data change existing in a first collection of data in the source database and the related data element defined to have a relationship to the at least one data element and affecting a layout of the at least one data element. Application at page 2, lines

Applicant : Ankur Bhatt et al.
Serial No. : 10/699,170
Filed : October 31, 2003
Page : 2 of 16

Attorney's Docket No.: 13906-0121001 / 2003P00232
US01

17-21, page 5, lines 21-26, and page 13, line 23 through page 14, line 8. The method also includes copying the at least one data element and the related data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object specific extensible markup language files by data type, and transporting the export data file from the source system to a target system having a target database. Application at page 2, lines 21-23, page 3, lines 1-7, page 6, line 13 through page 8, line 8, and page 14, lines 10-32. The method further includes displaying, at the target system, a user interface that identifies ones of the at least one data element that exist in a second collection of data stored in the target database, to prompt a user selection of desired ones of the at least one data element to be copied in the target database, and copying selected ones of the at least one data element and the related data element to the target database. Application at page 2, lines 23-31, page 8, line 8 through page 9, line 23, page 15, line 28 through page 17, line 23, and page 18, line 4 through page 19, line 5.

Claim 2 recites comparing the at least one data element to a data element stored in a reference export data file, and storing the at least one data element to the export data file based on the comparison. Application at page 14, lines 16-32 and page 20, lines 20-25.

Claim 4 recites that the at least one data element represents a report and the related data element represents a graphical illustration of data in the report. Application at page 5, lines 21-26, page 14, lines 2-7, and page 20, line 32 through page 21, line 2.

Independent claim 8 recites a system that includes a computer network, a source system coupled to the computer network, a target system coupled to the computer network, and a service delivery device coupled to the network. Application at page 3, lines 13-18 and page 5 line 21 through page 8, line 18. The source system stores a first collection of data in a source database, and the target system stores a second collection of data in a target database. Application at page 3, lines 13-18, page 6, lines 3-11, and page 8, lines 8-18. The service delivery device includes a processor and memory storing instructions that, in response to receiving a first type of request for access to a service, cause the processor to access at least one data element representing a delta data change from the source database of the source system and access a related data element from the source database. Application at page 3, lines 18-26 and page 13, line 23 through page 14, line 8. The delta data change existing in the first collection of data in the source database and the related data element defined to have a relationship to the at least one data element and

affecting a layout of the at least one data element. Application at page 3, lines 18-26, page 5, lines 21-26, and page 13, line 23 through page 14, line 8. The instructions also cause the processor to copy the at least one data element and the related data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object specific extensible markup language files by data type, and transport the export data file from the source system to the target system having the target database. Application at page 3, lines 26-28, page 6, line 13 through page 8, line 8, and page 14, lines 10-32. The instructions further cause the processor to display, at the target system, a user interface that identifies ones of the at least one data element that exist in the second collection of data stored in the target database, to prompt a user selection of desired ones of the at least one data element to be copied in the target database, and copy selected ones of the at least one data element and the related data element to the target database. Application at page 3, line 29 through page 4, line 5, page 8, line 8 through page 9, line 23, page 15, line 28 through page 17, line 23, and page 18, line 4 through page 19, line 5.

Claim 10 recites a system wherein the memory stores instructions that, in response to receiving the first type of request, cause the processor to compare the at least one data element to a data element stored in a reference export data file, and store the at least one data element to the export data file based on the comparison. Application at page 14, lines 16-32 and page 22, lines 18-24.

Independent claim 15 recites an article comprising a machine-readable medium storing machine-readable instructions that, when applied to the machine, cause the machine to access at least one data element representing delta data change from a source database of a source system and access a related data element from the source database. Application at page 2, lines 17-21, page 3, lines 8-12, page 13, line 23 through page 14, line 8, and page 19, lines 6-16. The delta data change existing in a first collection of data in the source database and the related data element defined to have a relationship to the at least one data element and affecting a layout of the at least one data element. Application at page 2, lines 17-21, page 5, lines 21-26, and page 13, line 23 through page 14, line 8. The machine-readable instructions also cause the machine to copy the at least one data element and the related data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object

specific extensible markup language files by data type, and transport the export data file from the source system to a target system storing a target database. Application at page 2, lines 21-23, page 3, lines 1-7, page 6, line 13 through page 8, line 8, and page 14, lines 10-32. The machine-readable instructions further cause the display, at the target system, a user interface that identifies ones of the at least one data element that exist in a second collection of data stored in the target database, to prompt a user selection of desired ones of the at least one data element to be copied in the target database, and copy selected ones of the at least one data element and the related data element to the target database. Application at page 2, lines 23-31, page 8, line 8 through page 9, line 23, page 15, line 28 through page 17, line 23, and page 18, line 4 through page 19, line 5.

Claim 16 recites an article including instructions that, when applied to the machine, cause the machine to compare the at least one data element to a data element stored in a reference export data file, and store the at least one data element to the export data file based on the comparison. Application at page 14, lines 16-32 and page 24, lines 13-18.

(6) Grounds of Rejection to be Reviewed on Appeal

a. Claims 1, 2, 6-8, 10, 13-16, 19, and 20 under 35 U.S.C. § 103

Claims 1-2, 6-8, 10, 13-16, 19, and 20 have been rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,671,757 (Multer), in view of U.S. Patent No. 6,948,133 (Haley) and U.S. Patent No. 6,768,994 (Howard).

b. Claims 4 under 35 U.S.C. § 103

Claim 4 has been rejected under 35 U.S.C. § 103 as being unpatentable over Multer, in view of Haley, Howard, and U.S. Patent No. 5,423,033 (Yuen).

(7) Argument

a. Claims 1-2, 6-8, 10, 13-16, 19, and 20 are not properly rejected under 35 U.S.C. § 103 as being unpatentable over Multer in view of Haley and Howard.

Appellant requests reversal of this rejection because each of Multer, Haley, Howard, and the proposed combination fail to describe or suggest the subject matter of independent claims 1, 8, and 15, as described more fully below. For example, each of Multer, Haley, Howard, and the proposed combination fail to describe or suggest copying at least one data element and a related

data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object specific extensible markup language files by data type, as recited in independent claim 1.

Specifically, Multer relates to synchronizing devices. (Abstract). Given first and second systems A and B, a differencing transmitter extracts information from A and converts the information extracted into difference information, which comprises only the changes to B's data which have occurred on B. See Multer at col. 6, lines 6-10. Only the difference information ("an [sic] instructions where to insert those differences)" is transmitted between systems. See Multer at col. 6, lines 20-24. Although Multer describes transmitting difference information from a first system to a second system, Multer fails to describe or suggest copying at least one data element and a related data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object specific extensible markup language files by data type, as recited in independent claim 1. Rather, the Multer system identifies difference information for data stored by a first system and sends the difference information directly to a second system without conversion.

To remedy the deficiencies of Multer with respect to this feature, the final Office Action of May 7, 2008 relies on Howard. However, Howard relates to very different functionality than disclosed in the present application and does not remedy the deficiencies of Multer discussed above.

Specifically, Howard is directed to database report generation and data mining, in which historical reports are generated for individual remote assets or vehicles and fleet summaries are generated that consist of location and telemetry data from vehicles collected in real time. See Howard at col. 1, lines 15-22. In one aspect, the Howard system obtains data from a database and converts the obtained data to XML format to send to a client for report generation. See Howard at col. 10, lines 31-40. Although the Howard system converts data to XML format, the Howard system does not do so in the context of copying at least one data element and a related data element to an export data file. Rather, the Howard system converts the data to XML format to enable display of the data on a web page of a client device. Therefore, Appellant submits that Howard does not remedy Multer's failure to describe or suggest copying at least one data element and a related data element to an export data file by converting the at least one data

element and the related data element to ActiveX Data Object specific extensible markup
language files by data type, as recited in independent claim 1.

Moreover, the Howard system does not convert data to ActiveX Data Object specific
extensible markup language files by data type. Instead, the Howard system generically converts
obtained data to XML format without any reference to data type, much less any indication that
the data is converted to ActiveX Data Object specific extensible markup language files by data
type.

Haley, which was cited in the final Office Action of May 7, 2008 for a feature of
independent claim 1 other than copying at least one data element and a related data element to an
export data file by converting the at least one data element and the related data element to
ActiveX Data Object specific extensible markup language files by data type, fails to remedy the
deficiencies of Multer and Howard discussed above. Nor does the final Office Action of May 7,
2008 contend Haley does so.

Thus, for at least the reasons discussed above, each of Multer, Haley, Howard, and the
proposed combination fail to describe or suggest copying at least one data element and a related
data element to an export data file by converting the at least one data element and the related data
element to ActiveX Data Object specific extensible markup language files by data type, as
recited in independent claim 1.

Moreover, as discussed above, Multer discloses techniques for synchronizing devices by
transmitting only the difference information ("an [sic] instructions where to insert those
differences)[,]" while Haley discloses dynamically configuring a user interface display that
includes updating data in an XML document and Howard is directed to database report
generation and data mining, in which historical reports are generated for individual remote assets
or vehicles and fleet summaries are generated that consist of location and telemetry data from
vehicles collected in real time. As such, Multer's synchronization technology is very different
than the display and report generation technology described in Haley and Howard, respectively.
Thus, one skilled in the art facing whatever need or problem was known in the relevant field,
would not have been led to modify or combine these references in a manner resulting in the
subject matter recited by claim 1, without first consulting Appellant's disclosure. See KSR Int'l
Co. v. Teleflex Inc., No. 04-1350, 550 U.S. ___, 2007 WL 1237837 (Apr. 30, 2007).

For at least the reasons discussed above, Appellant therefore submits that the combination of Multer, Haley, and Howard does not support a prima facie case of obviousness. Therefore, Appellant requests reversal of the rejection of independent claim 1 and its dependent claims.

Independent claim 8 defines a system that executes the method of claim 1, and defines subject matter that is patentable over Multer, Haley, and Howard for at least the reasons discussed above with reference to claim 1. Accordingly, for at least these reasons, Appellant respectfully requests reversal of the rejection of independent claim 8 and its dependent claims.

Independent claim 15 defines an article including a machine-readable medium storing machine-readable instructions that, when applied to the machine, cause the machine to perform the method of claim 1. Thus, claim 15 defines subject matter that is patentable over Multer, Haley, and Howard for at least the reasons discussed above with reference to claim 1. Accordingly, for at least these reasons, Appellant respectfully requests reversal of the rejection of independent claim 15 and its dependent claims.

b.   Claims 2, 10, and 16 are not properly rejected under 35 U.S.C. § 103 as being unpatentable over Multer in view of Haley and Howard.

With respect to dependent claims 2, 10, and 16, Appellant requests reversal of the rejection of claims 2, 10, and 16 at least for the reason of their dependency on claims 1, 8, and 15, respectively. In addition, Appellant requests reversal of the rejection of claims 2, 10, and 16 because each of Multer, Haley, Howard, and the proposed combination fail to describe or suggest the additional subject matter recited in dependent claims 2, 10, and 16.

For example, dependent claims 2, 10, and 16 recite comparing the at least one data element to a data element stored in a reference export data file and storing the at least one data element to the export data file based on the comparison. The final Office Action of May 7, 2008 cites Multer at col. 6, lines 3-6 and 8-11 for these features. The cited portions of Multer, however, do not describe or suggest comparing at least one data element accessed from a source database of a source system to a data element stored in a reference export data file, and storing the at least one data element to the export data file based on the comparison. Rather, the cited portion of Multer describes that data stored on a source system is examined to identify difference

information. In identifying the difference information, the Multer system does not compare a data element accessed from a source system to <u>a reference export data file</u>.

Accordingly, for at least these additional reasons, Appellant requests reversal of the rejection of claims 2, 10, and 16.

c.   **Claim 4 is not properly rejected under 35 U.S.C. § 103 as being unpatentable over Multer in view of Haley, Howard, and Yuen.**

With respect to dependent claim 4, Appellant requests reversal of the rejection of claim 4 at least for the reason of its dependency on claim 1. In addition, Appellant requests reversal of the rejection of claim 4 because each of Multer, Haley, Howard, Yuen, and the proposed combination fail to describe or suggest the additional subject matter recited in dependent claim 4.

For example, dependent claim 4 recites that the at least one data element represents a report and the related data element represents a graphical illustration of data in the report. The final Office Action of May 7, 2008 cites Yuen at col. 1, lines 44-46 and 52-54 and col. 2, lines 28-34 for these features. Although the cited portions of Yuen describe that a graphics-based report may be generated using data elements, the cited portion of Yuen does not describe or suggest that a related data element represents a graphical illustration of data in the report, where the related data element is accessed from a source database from which the data elements used in the report are accessed. Rather, Yuen merely describes that a report may be graphics-based, which does not describe or suggest a related data element that represents a graphical illustration of data in a report represented by at least one data element.

Accordingly, for at least these additional reasons, Appellant requests reversal of the rejection of claim 4.

d.   **Conclusion and Relief**

Accordingly, for the foregoing reasons, the Appellant requests reversal of the pending rejections of claims 1, 2, 4, 6-8, 10, 13-16, 19, and 20.

In accordance with Appellant's Notice of Appeal filed August 4, 2008, Appellant submits this Appeal Brief.

Pursuant to 37 CFR §1.136, Appellant hereby petitions that the period for response be extended for one month to and including November 4, 2008.

Applicant : Ankur Bhatt et al.
Serial No. : 10/699,170
Filed : October 31, 2003
Page : 9 of 16

Attorney's Docket No.: 13906-0121001 / 2003P00232
US01

The fee in the amount of $670.00 in payment of the brief fee ($540) and the one-month extension of time fee ($130) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: <u>October 31, 2008</u>

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Appendix of Claims

1. (Previously Presented) A method comprising:

accessing at least one data element representing a delta data change from a source database of a source system, the delta data change existing in a first collection of data in the source database;

accessing a related data element from the source database, the related data element defined to have a relationship to the at least one data element and affecting a layout of the at least one data element;

copying the at least one data element and the related data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object specific extensible markup language files by data type;

transporting the export data file from the source system to a target system having a target database;

displaying, at the target system, a user interface that identifies ones of the at least one data element that exist in a second collection of data stored in the target database, to prompt a user selection of desired ones of the at least one data element to be copied in the target database; and

copying selected ones of the at least one data element and the related data element to the target database.

2. (Original) The method of claim 1 wherein copying the at least one data element to the export data file comprises:

comparing the at least one data element to a data element stored in a reference export data file; and

storing the at least one data element to the export data file based on the comparison.

3. (Canceled).

Applicant : Ankur Bhatt et al.
Serial No. : 10/699,170
Filed : October 31, 2003
Page : 11 of 16

Attorney's Docket No.: 13906-0121001 / 2003P00232
US01

4. (Previously Presented) The method of claim 1 wherein the at least one data element represents a report and the related data element represents a graphical illustration of data in the report.

5. (Canceled).

6. (Previously Presented) The method of claim 1 wherein copying to the target database comprises generating a restorable archive file using the ones of the at least one data element that exist in the second collection of data stored in the target database.

7. (Original) The method of claim 6 wherein generating the restorable archive file comprises using a related data element to the at least one data element, the related data element existing in the second collection of data stored in the target database.

8. (Previously Presented) A system comprising:

a computer network;

a source system coupled to the computer network, the source system storing a first collection of data in a source database;

a target system coupled to the computer network, the target system storing a second collection of data in a target database;

a service delivery device coupled to the network, the service delivery device including a processor and memory storing instructions that, in response to receiving a first type of request for access to a service, cause the processor to:

access at least one data element representing a delta data change from the source database of the source system, the delta data change existing in the first collection of data in the source database;

access a related data element from the source database, the related data element defined to have a relationship to the at least one data element and affecting a layout of the at least one data element;

copy the at least one data element and the related data element to an export data file by
converting the at least one data element and the related data element to ActiveX Data Object
specific extensible markup language files by data type; and

transport the export data file from the source system to the target system having the target
database;

display, at the target system, a user interface that identifies ones of the at least one data
element that exist in the second collection of data stored in the target database, to prompt a user
selection of desired ones of the at least one data element to be copied in the target database; and

copy selected ones of the at least one data element and the related data element to the
target database.

9. (Canceled).

10. (Previously Presented) The system of claim 8 wherein the memory stores instructions
that, in response to receiving the first type of request, cause the processor to:

compare the at least one data element to a data element stored in a reference export data
file; and

store the at least one data element to the export data file based on the comparison.

11. (Canceled)

12. (Canceled).

13. (Previously Presented) The system of claim 8 wherein the memory stores instructions
that, in response to receiving the second type of request, cause the processor to generate a
restorable archive file using the ones of the at least one data element that exist in the second
collection of data stored in the target database.

14. (Original) The system of claim 13 wherein the memory stores instructions that, in
response to receiving the second type of request, cause the processor to generate the restorable

Applicant : Ankur Bhatt et al.   Attorney's Docket No.: 13906-0121001 / 2003P00232
Serial No. : 10/699,170   US01
Filed   : October 31, 2003
Page   : 13 of 16

archive file using the related data element to the at least one data element, the related data element existing in the second collection of data stored in the target database.

15. (Previously Presented) An article comprising a machine-readable medium storing machine-readable instructions that, when applied to the machine, cause the machine to:

access at least one data element representing delta data change from a source database of a source system, the delta data change existing in a first collection of data in the source database;

access a related data element from the source database, the related data element defined to have a relationship to the at least one data element and affecting a layout of the at least one data element;

copy the at least one data element and the related data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object specific extensible markup language files by data type;

transport the export data file from the source system to a target system storing a target database;

display, at the target system, a user interface that identifies ones of the at least one data element that exist in a second collection of data stored in the target database, to prompt a user selection of desired ones of the at least one data element to be copied in the target database; and

copy selected ones of the at least one data element and the related data element to the target database.

16. (Original) The article of claim 15 including instructions that, when applied to the machine, cause the machine to

compare the at least one data element to a data element stored in a reference export data file; and

store the at least one data element to the export data file based on the comparison.

17. (Canceled).

18. (Canceled).

Applicant : Ankur Bhatt et al.
Serial No. : 10/699,170
Filed : October 31, 2003
Page : 14 of 16

Attorney's Docket No.: 13906-0121001 / 2003P00232
US01

19. (Previously Presented) The article of claim 15 including instructions that, when applied to the machine, cause the machine to generate a restorable archive file using the ones of the at least one data element that exist in the second collection of data stored in the target database.

20. (Original) The article of claim 19 including instructions that, when applied to the machine, cause the machine to generate the restorable archive file using a related data element to the at least one data element, the related data element existing in the second collection of data stored in the target database.

Applicant : Ankur Bhatt et al.   Attorney's Docket No.: 13906-0121001 / 2003P00232
Serial No. : 10/699,170   US01
Filed : October 31, 2003
Page : 15 of 16

Evidence Appendix

NONE.

Applicant : Ankur Bhatt et al.   Attorney's Docket No.: 13906-0121001 / 2003P00232
Serial No. : 10/699,170   US01
Filed : October 31, 2003
Page : 15 of 16

Applicant : Ankur Bhatt et al.
Serial No. : 10/699,170
Filed : October 31, 2003
Page : 16 of 16

Attorney's Docket No.: 13906-0121001 / 2003P00232
US01

Related Proceedings Appendix

NONE.